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BS 1035



Order Filed on November 15,
2016 by Clerk U.S. Bankruptcy
Court District of New Jersey

In Re:

Richard D. Barber
Sherri L. Barber,

Debtors.

: Bankruptcy Division
: United States Bankruptcy Court
: District of New Jersey
: Bankruptcy No. 16-11865-JNP
:
: Chapter 13
:
:
:
: Hearing Date: 11/15/2016
: @ 10:00 a.m.

ORDER APPROVING LOAN MODIFICATION

The relief set forth on the following page is hereby **ORDERED**.

DATED: November 15, 2016

A handwritten signature in dark ink, appearing to read "Jerrold N. Poslusny, Jr.", written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

THIS MATTER having come before the Court on the debtors Motion for Order Approving Loan Modification, and the Court having considered the debtor's motion and any opposition thereto, and good and sufficient cause appearing there from for the entry of this order, it is hereby

ORDERED that the debtor be and hereby are allowed a loan modification for real property located at 309 S. New Leaf Ct., Galloway, NJ 08205 pursuant to the terms outlined in the debtor's certification in support of the loan modification motion; and it is further

ORDERED that debtor is authorized to pay the usual and necessary costs and expenses of the settlement; and it is further

ORDERED that the debtor shall:

 Satisfy all Plan obligations from financing proceeds

 Continue to make payments under the Plan as proposed or confirmed

 X Modify the Plan as follows: Remove Nationstar Mortgage from Plan.

ORDERED that the Court hereby authorizes secured creditor and debtor to enter into a loan modification; and it is further

ORDERED that in the event a loan modification is completed and the pre-petition arrears are capitalized into the loan, secured creditor shall amend the arrearage portion of its proof of claim to zero or withdraw the claim within thirty (30) days of completion of the loan modification; and it is further

ORDERED that the Chapter 13 Trustee shall suspend disbursements to secured creditor pending completion of loan modification and all money that would otherwise be paid to secured creditor, be held until the arrearage portion of the claim is amended to zero or the claim is withdrawn, or the Trustee is notified by the secured creditor that the modification was not consummated; and it is further

ORDERED that in the event the modification is not consummated, the secured creditor shall notify the Trustee and debtor attorney of same. Any money that was held by the Trustee pending completion of the modification shall be paid to secured creditor; and it is further

ORDERED that in the event the Proof of Claim is amended to zero or withdrawn, the Trustee may disburse the funds being held pursuant to this order to other creditors in accordance with the provisions of the confirmed plan; and it is further

ORDERED that the debtor shall file an Amended Schedule J and Modified Plan within twenty (20) days of this Order; and it is further

ORDERED that Communication and/or negotiations between debtor and mortgagees/mortgage servicers about loan modification shall not be deemed as violation of the automatic stay; and any such communication or negotiation shall not be used by either party against the other in any subsequent litigation; and it is further

ORDERED that the debtor provide an executed copy of the Loan Agreement within ten (10) days of closing; and it is further

ORDERED that debtor counsel be allowed a legal fee of \$ 500.00 for representation in connection with this motion, which is to be paid (**choose one**):

 at closing X through the plan outside the plan;

and it is further

ORDERED AND DECREED that Nationstar Mortgage, LLC is hereby authorized and permitted to file and record with the appropriate Court Clerk's Office the Loan Modification Agreement and that such recording shall not be deemed a violation of 11 USC §362